

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA
Case No. 20-CR-190 (ADM/TNL)

UNITED STATES OF AMERICA,)	SUPERSEDING INDICTMENT
)	
Plaintiff,)	18 U.S.C. § 2
)	18 U.S.C. § 924(c)(1)(A)(ii)
v.)	18 U.S.C. § 924(d)(1)
)	18 U.S.C. § 981(a)(1)(C)
DERRICK LEE SPILLMAN, and)	18 U.S.C. § 1951
)	21 U.S.C. § 853(p)
DAIJON LEWIS MILES,)	28 U.S.C. § 2461(c)
)	
Defendants.)	

THE UNITED STATES GRAND JURY CHARGES THAT:

COUNT 1

(Interference with Commerce by Robbery)

On or about July 28, 2020, in the State and District of Minnesota, the defendants,

**DERRICK LEE SPILLMAN, and
DAIJON LEWIS MILES,**

aiding and abetting one another, or conspiring with each other, did unlawfully obstruct, delay and affect commerce, as defined by Title 18, United States Code, Section 1951(b)(3), and the movement of articles and commodities in such commerce, by robbery, as defined by Title 18, United States Code, Section 1951(b)(1), in that the defendants did unlawfully take and obtain personal property from the person of or in the immediate presence of employees of a Holiday gas station, located at 1444 Minnehaha Avenue East in St. Paul, Minnesota, a commercial business then engaged in interstate commerce, against the employees' will by means of actual and

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threatened force, violence, and fear of injury, immediate and future, to their persons and property, that is, a defendant brandished what appeared to the victims to be a firearm, to compel the employees to relinquish to the defendants property belonging to the business, including U.S. currency and Minnesota Lottery Tickets, all in violation of Title 18, United States Code, Sections 2 and 1951.

COUNT 2

(Interference with Commerce by Robbery)

On or about July 28, 2020, in the State and District of Minnesota, the defendants,

**DERRICK LEE SPILLMAN, and
DAIJON LEWIS MILES,**

aiding and abetting one another, or conspiring with each other, did unlawfully obstruct, delay and affect commerce, as defined by Title 18, United States Code, Section 1951(b)(3), and the movement of articles and commodities in such commerce, by robbery, as defined by Title 18, United States Code, Section 1951(b)(1), in that the defendants did unlawfully take and obtain personal property from the person of or in the immediate presence of employees of Sharrett's Liquor Store, located at 2389 University Avenue West in St. Paul, Minnesota, a commercial business then engaged in interstate commerce, against the employees' will by means of actual and threatened force, violence, and fear of injury, immediate and future, to their persons and property, that is, the defendants brandished what appeared to the victims to be firearms, to compel the employees to relinquish to the defendants property belonging

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to the business, including U.S. currency and liquor, all in violation of Title 18, United States Code, Sections 2 and 1951.

COUNT 3
(Interference with Commerce by Robbery)

On or about July 28, 2020, in the State and District of Minnesota, the defendants,

**DERRICK LEE SPILLMAN, and
DAIJON LEWIS MILES,**

aiding and abetting one another, or conspiring with each other, did unlawfully obstruct, delay and affect commerce, as defined by Title 18, United States Code, Section 1951(b)(3), and the movement of articles and commodities in such commerce, by robbery, as defined by Title 18, United States Code, Section 1951(b)(1), in that the defendants did unlawfully take and obtain personal property from the person of or in the immediate presence of employees of Gopher Liquor, located at 335 Monroe Street Northeast in Minneapolis, Minnesota, a commercial business then engaged in interstate commerce, against the employees' will by means of actual and threatened force, violence, and fear of injury, immediate and future, to their persons and property, that is, the defendants brandished what appeared to the victims to be firearms, to compel the employees to relinquish to the defendants property belonging to the business, including U.S. currency, all in violation of Title 18, United States Code, Sections 2 and 1951.

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COUNT 4

(Using, Carrying and Brandishing a Firearm
During and in Relation to a Crime of Violence)

On or about July 28, 2020, in the State and District of Minnesota, the defendants,

**DERRICK LEE SPILLMAN, and
DAIJON LEWIS MILES,**

aiding and abetting one another, or conspiring with one another, during and in relation to a crime of violence for which they may be prosecuted in a court of the United States, that is, the crime set forth in Count 3 of this Indictment, which is hereby realleged and incorporated herein by reference, did knowingly and unlawfully use, carry, and brandish a firearm, all in violation of Title 18, United States Code, Sections 2 and 924(c)(1)(A)(ii).

COUNT 5

(Interference with Commerce by Robbery)

On or about July 30, 2020, in the State and District of Minnesota, the defendant,

DERRICK LEE SPILLMAN,

did unlawfully obstruct, delay and affect commerce, as defined by Title 18, United States Code, Section 1951(b)(3), and the movement of articles and commodities in such commerce, by robbery, as defined by Title 18, United States Code, Section 1951(b)(1), in that the defendant did unlawfully take and obtain personal property from the person of or in the immediate presence of employees of a Holiday gas station, located at 7295 University Avenue in Fridley, Minnesota, a commercial business then

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engaged in interstate commerce, against the employees' will by means of actual and threatened force, violence, and fear of injury, immediate and future, to their persons and property, that is, the defendant brandished what appeared to the victims to be a firearm, to compel the employees to relinquish to the defendant property belonging to the business, including U.S. currency, all in violation of Title 18, United States Code, Section 1951.

COUNT 6

(Interference with Commerce by Robbery)

On or about July 30, 2020, in the State and District of Minnesota, the defendant,

DERRICK LEE SPILLMAN,

did unlawfully obstruct, delay and affect commerce, as defined by Title 18, United States Code, Section 1951(b)(3), and the movement of articles and commodities in such commerce, by robbery, as defined by Title 18, United States Code, Section 1951(b)(1), in that the defendant did unlawfully take and obtain personal property from the person of or in the immediate presence of employees of a Speedway gas station, located at 6545 West River Road in Brooklyn Center, Minnesota, a commercial business then engaged in interstate commerce, against the employees' will by means of actual and threatened force, violence, and fear of injury, immediate and future, to their persons and property, that is, the defendant brandished what appeared to the victims to be a firearm, to compel the employees to relinquish to the

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defendant property belonging to the business, including U.S. currency, all in violation of Title 18, United States Code, Section 1951.

COUNT 7
(Interference with Commerce by Robbery)

On or about July 30, 2020, in the State and District of Minnesota, the defendant,

DERRICK LEE SPILLMAN,

did unlawfully obstruct, delay and affect commerce, as defined by Title 18, United States Code, Section 1951(b)(3), and the movement of articles and commodities in such commerce, by robbery, as defined by Title 18, United States Code, Section 1951(b)(1), in that the defendant did unlawfully take and obtain personal property from the person of or in the immediate presence of employees of a Subway store, located at 2147 Lowry Avenue North in Minneapolis, Minnesota, a commercial business then engaged in interstate commerce, against the employees' will by means of actual and threatened force, violence, and fear of injury, immediate and future, to their persons and property, that is, the defendant brandished what appeared to the victims to be a firearm, to compel the employees to relinquish to the defendant property belonging to the business, including U.S. currency, all in violation of Title 18, United States Code, Section 1951.

COUNT 8
(Interference with Commerce by Robbery)

On or about July 30, 2020, in the State and District of Minnesota, the defendant,

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DERRICK LEE SPILLMAN,

did unlawfully obstruct, delay and affect commerce, as defined by Title 18, United States Code, Section 1951(b)(3), and the movement of articles and commodities in such commerce, by robbery, as defined by Title 18, United States Code, Section 1951(b)(1), in that the defendant did unlawfully take and obtain personal property from the person of or in the immediate presence of employees of a Holiday gas station, located at 9456 27th Avenue North in New Hope, Minnesota, a commercial business then engaged in interstate commerce, against the employees' will by means of actual and threatened force, violence, and fear of injury, immediate and future, to their persons and property, that is, the defendant brandished what appeared to the victims to be a firearm, to compel the employees to relinquish to the defendant property belonging to the business, including U.S. currency, all in violation of Title 18, United States Code, Section 1951.

COUNT 9

(Using, Carrying and Brandishing a Firearm
During and in Relation to a Crime of Violence)

On or about July 30, 2020, in the State and District of Minnesota, the defendant,

DERRICK LEE SPILLMAN,

during and in relation to a crime of violence for which he may be prosecuted in a court of the United States, that is, the crime set forth in Count 8 of this Indictment, which is hereby realleged and incorporated herein by reference, did knowingly and

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unlawfully use, carry, and brandish a firearm, all in violation of Title 18, United States Code, Section 924(c)(1)(A)(ii).

FORFEITURE ALLEGATIONS

If convicted of Counts 1-3 of this Indictment, the defendants,

**DERRICK LEE SPILLMAN, and
DAIJON LEWIS MILES,**

shall forfeit to the United States, pursuant to Title 18, United States Code, Section 981(a)(1)(C), and Title 28, United States Code, Section 2461(c), any property, real or personal, which constitutes or is derived from proceeds traceable to the violations alleged in Counts 1-3 of this Indictment.

If convicted of Counts 5-8 of this Indictment, the defendant,

DERRICK LEE SPILLMAN,

shall forfeit to the United States, pursuant to Title 18, United States Code, Section 981(a)(1)(C), and Title 28, United States Code, Section 2461(c), any property, real or personal, which constitutes or is derived from proceeds traceable to the violations alleged in Counts 5-8 of this Indictment.

If convicted of any Count of this Indictment, the defendants,

**DERRICK LEE SPILLMAN, and
DAIJON LEWIS MILES**

shall forfeit to the United States, pursuant to Title 18, United States Code, Section 924(d)(1), and Title 28, United States Code, Section 2461(c), any firearms, accessories, and ammunition involved in or used in connection with the violations

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alleged in any Count(s) of this Indictment, including any firearms, ammunition and accessories seized therewith.

If any of the above-described forfeitable property is unavailable for forfeiture, the United States intends to seek the forfeiture of substitute property as provided for in Title 21, United States Code, Section 853(p), as incorporated by Title 28, United States Code, Section 2461(c).

A TRUE BILL

UNITED STATES ATTORNEY

FOREPERSON